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TA Q'	ENT AND TRADEMARK OFFICE
TRADE THE Re the Application of:) Group Art Unit:
KELLER et al.)) Examiner:
Serial No.: 10/575,019) Confirmation No.:
Filed: April 6, 2006)) <u>REQUEST FOR CORRECTION OF</u>) NATIONAL PHASE FILING DATE
Atty. File No.: 2584SG-5)
For: "FIRE PROTECTION GATE ANI CORRELATED FIRE PROTECTION INSET"	CERTIFICATE OF MAILING
Commission on fan Datamta	I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES

Dear Sir:

P.O. Box 1450

Commissioner for Patents

Alexandria, VA 22313

In connection with the filing of the above-identified U.S. patent application, Applicants hereby request that a filing date of April 6, 2006, be assigned to the above-referenced patent application. In support of this request, Applicants provide the following information.

POSTAL SERVICE AS FIRST CLASS MAIL IN AN

ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS, B.O. BQX 1450, ALEXANDRIA, VA 22313-1450

SHERIDAN ROSS P.C.

This application was submitted to the U.S. Post Office on April 6, 2006, for transmittal via Express Mail No. EV 788583237 US. The Certificate of Mailing correctly reflects the filing date of April 6, 2006. The return receipt post card for this application incorrectly indicates a filing date of April 7, 2006. As a result, the U.S. Post Office erred in entering the Date Accepted as April 7, 2006, for this application, rather than its actual date of filing, via Express Mail, of April 6, 2006.

This application was filed at the same time as two other applications, such other applications receiving the correct filing date of April 6, 2006. Those applications are U.S. Serial No. 10/575,009, filed on April 6, 2006, Attorney Docket No. 2584SG-4 and U.S. Serial No. 10/574,987, filed on April 6, 2006, Attorney Docket No. 2584SG-6. Copies of the stamped return cards and Express Mail receipts for all three applications are attached to the accompanying Declaration of Carol Werner as Exhibits C and D. The Express Mail receipts for Application Nos. 10/575,009 and 10/574,987, were correctly filled out by the Post Office to indicate the date accepted of April 6, 2006 and the times the mailings were accepted (see Exhibit D of Ms. Werner's Declaration). Note that the Express Mail

receipt for the present application (i.e. Serial No. 10/575,019) does not have a "Time Accepted" entry, which is unusual for normal Post Office procedure (see Exhibit A of Mr. Abeyta's Declaration). Additionally, the Postal Clerk did not provide a stamped receipt to the undersigned's representative for this Express Mail package.

The Declarations of Carol Werner, the Secretary who prepared this application for filing and who signed the Certificate of Mailing, and Eddie Abeyta, the Office Services employee who delivered the Express Mail packages to the Post Office, are enclosed herewith for the U.S. Patent & Trademark Office's consideration.

Applicants request that the Patent Office find that this national phase application was correctly filed on April 6, 2006, and to reflect that this application should have its proper initial filing date of April 6, 2006.

Undersigned counsel requests a telephone interview with the Examiner if there are any pending questions or concerns, so as to promptly address the present issue.

Respectfully submitted,

SHEARIDAN ROSS PA

By:

oseph E. Kovarik

Registration No. 33,005

1560 Broadway, Suite 1200

Denver, Colorado 80202-5141

(303) 863-9700

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Hin Re the Application of:)	Group Art Unit:
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KELLER et al.)	Examiner:
)	
Serial No.: 10/575,019)	Confirmation No.:
,)	
Filed: April 6, 2006)	DECLARATION OF CAROL WERNER IN
,	j.	SUPPORT OF REQUEST FOR
Atty. File No.: 2584SG-5	í	CORRECTION OF NATIONAL PHASE
,	í	FILING DATE
For: "FIRE PROTECTION GATE AND	,	

CORRELATED FIRE PROTECTION

INSET"

I hereby Declare as follows:

- I am an employee of the lawfirm of Sheridan Ross P.C., 1560 Broadway, Suite 1200, Denver, Colorado 80202. I have worked for Sheridan Ross since July 5, 2005, and my principle duties include assisting legal counsel at Sheridan Ross in the preparation and filing of patent applications received from foreign associates.
- On or about April 6, 2006, I worked on the above-referenced application in order to effect 2. a timely U.S. National Phase Patent Filing on April 6, 2006. I executed the Certificate of Mailing, attached hereto as Exhibit A.
- In addition to the present patent application, I also prepared for filing two other patent 3. applications, U.S. Serial No. 10/575,009, Attorney Docket No. 2584SG-4, and U.S. Serial No. 10/574,987, Attorney Docket No. 2584SG-6, both of which were also national phase filings for foreign associates. I similarly prepared and executed Certificates of Mailing with respect to such cases (see Exhibit B).
- On April 6, 2006, I provided the above-referenced three patent applications with all 4. requisite filing documents to Mr. Eddie Abeya, the Office Services employee at Sheridan Ross P.C. whose job responsibilities include delivery of Express Mail packages to the Post Office.
- The Express Mail packages were sealed and given to Mr. Eddie Abeyta, the Office Services Clerk, for attachment of postage and delivery to the U.S. Post Office.
- Mr. Abeyta returned from the post office with two of the three Express Mail receipts. The Express Mail Receipts Mr. Abeyta returned to me were: EV 788583223 US, Attorney Docket No. 2584SG-4, assigned U.S. Serial No. 10/575,009; and EV 788583254 US, Attorney Docket No. 2584SG-6, assigned U.S. Serial No. 10/574,987.
- The Express Mail receipt from Application Nos. 10/575,009 and 10/574,987 were 7.

correctly filled out by the Post Office to indicate the date of acceptance of April 6, 2006 (see Exhibit C). Unfortunately, the return receipt post card for the present application (Serial No. 10/575,019, see Exhibit D) incorrectly reflected a filing date via Express Mail of April 7, 2006. Such application was, however, filed via Express Mail on April 6, 2006, along with the other two above-referenced patent applications, which properly received the correct filing date of April 6, 2006.

Date:

By:

Carol Werner

"EXPRESS MAIL" MAILING LABEL NUMBER: EV 788583237 US DATE OF DEPOSIT: 06 APRIL 2006

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO BOX PCT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

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Date 4/6/06 Initial: CSW [] Trademark Matter [X] Patent Matter PTO Stamp indicates receipt of: Application Docket No.: 2584SG-4 KELLER et al. Applicant: Title or Mark: "INSULATING MATERIAL ELEMENT MADE OF MINERAL FIBER FELT FOR CLAMPING-LIKE ASSEMBLY BETWEEN BEANS AND THE LIKE" Serial/Reg. No.: NOT YET ASSIGNED 16 # of Pages in Specification Filed/Issued Date: HEREWITH # of Pages in Claims [X] Certificate of Mailing [X] Express Mail No.: EV 788583223 US # of Sheets in Drawings # of Pages in Seq. Listing [X] Check for \$900.00

LIST <u>ALL</u> DOCUMENTS BEING SENT TO PATENT OFFICE: Transmittal Letter (2 pgs); Certificate of Mailing (1 pg); English translation of published application (19 pgs); figures (2 pgs); Application Data Sheet (7 pgs); First Preliminary Amendment (6 pgs); IDS (3 pgs); Form 1449 (1 pg); References (7): check; return card

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Application Docket No.: 2584SG-6

Applicant:

BRUER et JAP7 Rec'd PCT/PTO 06 APR 2006

Title or Mark: "CLIMATE, RESPECTIVELY VENTILATION CHANNEL"

Serial/Reg. No.: NOT YET ASSIGNED

Filed/Issued Date: HEREWITH

17 # of Pages in Specification

[X] Certificate of Mailing

3 # of Pages in Claims

[X] Express Mail No.: EV 788583254 US

of Sheets in Drawings

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Date 4/6/06 Initial: cs [] Trademark Matter [X] Patent Matter PTO Stamp indicates receipt of: Application Docket No.: 2584SG-5 KELLER et al. Applicant: Title or Mark: "FIRE PROTECTION GATE AND CORRELATED FIRE PROTECTION **INSET"** Serial/Reg. No.: NOT YET ASSIGNED # of Pages in Specification Filed/Issued Date: HEREWITH # of Pages in Claims [X] Certificate of Mailing [X] Express Mail No.: EV 788583237 US # of Sheets in Drawings # of Pages in Seq. Listing [X] Check for \$900.00

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JUN 0 8 2	In the Application of:)	Group Art Unit:
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	Filed: April 6, 2006)	DECLARATION OF EDDIE ABEYTA IN SUPPORT OF REQUEST FOR
	Atty. File No.: 2584SG-5)	CORRECTION OF NATIONAL PHASE FILING DATE
	For: "FIRE PROTECTION GATE AND	•	
	CORRELATED FIRE PROTECTION		
	INSET"		

I hereby declare as follows:

- 1. I am a contract employee of the lawfirm of Sheridan Ross P.C., 1560 Broadway, Suite 1200, Denver, Colorado 80202. I have worked for Sheridan Ross since July 2005, and my principle duties include affixing postage to outgoing mail and hand-delivering the Express Mail to the Post Office and brining back the signed receipts.
- 2. On or about April 6, 2006, in my normal course of duties, Ms. Carol Werner gave me Express Mail packages, which I delivered to the Post Office and brought the signed receipts back to Ms. Werner.
- 3. Upon being notified by Carol Werner that there was a problem with the Express Mail Package sent on April 6, 2006 for U.S. Serial No. 2584SG-5, I requested copies of the Express Mail receipts from the Post Office for all items sent on April 6 and 7, 2006. The Express Mail receipts for Application Nos. 10/575,009 and 10/574,987, are correctly filled out by the Post Office to indicate the date accepted of April 6, 2006 and the times the mailings were accepted (see Exhibit A). The Express Mail receipt for the present application (Serial No. 10/575,019) does not have a "Time Accepted" entry, which in my experience, is unusual for normal Post Office procedure (see Exhibit B).
- 4. I declare that I properly filed via Express Mail, U.S. Application Serial No. 10/575,019 on April 6, 2006. The filing date of April 7, 2006, is therefore in error.

Date: 6/6/06

Eddie Abeyta

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[X] Patent Matter

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Application Docket No.: 2584SG-4 Applicant:

KELLER et al.

Title or Mark: "INSULATING MATERIAL ELEMENT MADE OF MINERAL FIBER FELT FOR CLAMPING-LIKE ASSEMBLY BETWEEN BEANS AND THE LIKE"

Serial/Reg. No.: NOT YET ASSIGNED

Filed/Issued Date: HEREWITH

16 # of Pages in Specification

[X] Certificate of Mailing

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Date 4/6/06

PTO Stamp indicates receipt of:

[X] Patent Matter

[] Trademark Matter

Application Docket No.: 2584SG-5

KELLER et al. Applicant:

Title or Mark: "FIRE PROTECTION GATE AND CORRELATED FIRE PROTECTION

INSET"

Serial/Reg. No.: NOT YET ASSIGNED

Filed/Issued Date: HEREWITH

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OPCIPIO 07 APR 2008 check; return card



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